UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,170	06/29/2001	Snehanshu Shah	HiVE 1100-1	7429

			EXAMINER
29576	7590	07/29/2004	BLACKWELL, JAMES H

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ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/896,170	SHAH ET AL.
	Examiner	Art Unit
	James H Blackwell	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 June 2001</u>.

2a)☐ This action is FINAL.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>29 June 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Objections

Claim 1 is objected to because of the following informalities: The preamble of

Claim 1, specifically the phrase "The present invention" should be removed.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 7-10, and 15-16 are rejected under 35 U.S.C. 102(e) as being

anticipated by Burdick et al. (hereinafter Burdick, U.S. Patent No. 6,148,307).

In regard to independent Claim 1 (and similarly independent Claim 9), Burdick

teaches a system for storing and retrieving data comprising a network for transmitting

and receiving data and at least one input system for inputting data in at least a first

format. A re-formatter receives the data and reformats the data into a predetermined

standard format. A database coupled to the network stores the reformatted data. A

loader loads the reformatted data into the database. At least one client workstation is

provided, coupled to the network, for receiving database search requests. A front-end

server, coupled to the network, receives the database search requests and processes

the search requests, querying the database, receiving reformatted data from the

database, and outputting the reformatted data. It is an object of the present invention to

provide a global database of manufacturing data, which may be readily accessed by a

reliability engineer to provide product performance history for a particular manufactured

product. It is a further object of the present invention to provide a standardized data

format for reformatting disparate types and forms of data into a common format, which

may be stored in a global database. It is a further object of the present invention to

provide a method and system for tracking a manufactured product or group of

manufactured products through a manufacturing process comprising a series of

manufacturing steps performed at different physical locations (Col. 3, lines 7-32;

compare with Claim 1 (and similarly Claim 9),   *"The present invention provides a*

method of dynamically publishing diverse data in a manufacturing environment,

comprising the steps of: gathering raw data from diverse sources; translating

said raw data into a user specified format; loading said translated raw data into

an application server; summarizing and indexing said translated raw data;

receiving a user specified request for data; relating said requested data to said

translated raw data via said summarized and indexed translated raw data;

retrieving said translated raw data relating to said requested data; and providing

said translated raw data relating to said requested data to said user via a user

interface").

In regard to dependent Claim 2 (and similarly dependent Claim 10), Burdick teaches that a GUI provides the client with a variety of options with regard to the format of retrieved data from a complex search request. The GUI may allow the client to view or browse the produced data, or may reformat that data into one of a number of formats corresponding to commercially available database programs (e.g., Lotus 1-2-3®, Paradox®, Excel®, RS1®, SAS®, or the like). Thus, engineers within a particular production facility or department may download information from database (106) and reformat this information into other database programs to meet pre-existing program or project needs (Col. 7, lines 65-67; Col. 8, lines 1-9; compare with Claim 2 (and similarly Claim 10), *"... analyzing said translated raw data relating to said requested data; and visualizing said translated raw data relating to said requested data"*).

In regard to dependent Claims 7-8 and dependent Claims 15-16, Burdick teaches that once raw data (101) has been reformatted into DIS data (103) by reformatter server (102), the DIS data is loaded, via loader (104) into local database server (105) to produce database (106) (Col. 5, lines 39-41; compare with Claims 7-8, *"... the step of storing said translated raw data in a data management system"* and Claims 15-16, *"... said data management system comprises databases flat file storage systems"*).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 3-6, and 11-14 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Burdick in view of Subramaniam et al. (hereinafter Subramaniam,

U.S. Patent No. 5,859,972).

In regard to dependent Claims 3-4 (and similarly dependent Claims 11-12),

Burdick fails to explicitly teach either that *said user interface is a web browser coupled*

to said application server via a network connection or that *said network connection is an*

Internet connection. However, Subramaniam teaches an informatics management

system (gateway) (10) that provides a user with a WWW (World Wide Web)-based

virtual computer. The gateway informatics management system (10) comprises a set of

programs underlying a Web graphical browser interface. The user runs a graphical

browser (12) (e.g., Netscape, Mosaic) on a client workstation (13) connected to the

Internet (Col. 4, lines 1-7). It would have been obvious to one of ordinary skill in the art

at the time of invention to combine the teachings of Burdick and Subramaniam because

both inventions consist of client/server systems for accessing data in disparate formats

from different data sources. However, Subramaniam specifically teaches use of a web

browser and the Internet, whereas Burdick simply teaches a Graphical User Interface

(GUI) and a network named "worldnet", whose definition gives it many characteristics of

the Internet. The benefit of combining Burdick with Subramaniam would have been to

be able to use a commonly available web browser and the commonly accessible

Internet to query and retrieve results from a wide variety of sources.

In regard to dependent Claims 5-6 (and similarly dependent Claims 13-14),

Burdick fails to explicitly teach either that *said application server is coupled to*

said diverse data sources via a network connection or that *said network connection is*

an Internet connection. However, Subramaniam teaches that the gateway informatics

management system program (10) resides on a server (18) connected to the Internet.

The informatics management system (10) includes communications services (15),

translators (16) for information repositories (19A) on a server (18) and remote

information repositories (19B), and drivers (17) for remote application programs (tools)

(19C) and application programs (tools) on the server (19D). The user runs the

informatics management system (10) from the client workstation (13) with the browser

(12) with conventional graphical user interface input, i.e., hypertext, pushbuttons, and

filling in blanks. The informatics management system (10) draws user-specified data

from the remote data repositories (19B) on the Internet and from data repositories (19A)

on the server (18). The informatics management system (10) receives the requested

results from the remote repositories (19B) and the repositories (19A) on the server (18)

back into the translator (16), which translates the retrieved results back into the user's

format, e.g. HTML. The communications services (15) then sends the results back to

the user's browser (12) (Col. 4, lines 7-26). It would have been obvious to one of

ordinary skill in the art at the time of invention to combine the teachings of Burdick and

Subramaniam because both inventions consist of client/server systems for accessing

data in disparate formats from different data sources. However, Subramaniam

specifically teaches use of a web browser (implying a web or "application server") both

connected to the Internet, whereas Burdick simply teaches a Graphical User Interface

(GUI) (on several different types of systems) and a network named "worldnet", whose

definition gives it many characteristics of the Internet. The benefit of combining Burdick

with Subramaniam would have been to be able to use a commonly available web

browser (and server) and the commonly accessible Internet to access and retrieve data

from a wide variety of sources.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 703-305-0940. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell

07/15/04

JOSEPH FEILD

SUPERVISORY PATENT EXAMINER